

STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT

28369
Docket No. **0267-1430**

In Re Application Of: **David Y. Chan**

Serial No.
09/829,339

Filing Date
April 9, 2001

Examiner
Zeev Kitov

Group Art Unit
2836

Invention: **CIRCUIT INTERRUPTER WITH IMPROVED SUPPRESSION**

TO THE COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☐ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☒ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.



Signature

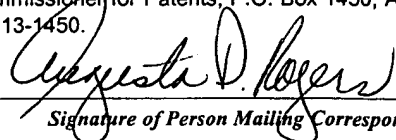
Dated: **November 22, 2004**

Paul J. Sutton, Esq.
Reg No. 24,201
Greenberg Traurig, LLP
200 Park Avenue
New York, New York 10166

Tel: 212.801.2108

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Signature of Person Mailing Correspondence

Augusta D. Rogers

Typed or Printed Name of Person Mailing Correspondence

CC:

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(d))

Docket No.
0267-1430

In Re Application Of **David Y. Chan et al.**

Serial No.

09/829,339

Filing Date

April 9, 2001

Examiner

Zeev Kitov

Group Art Unit

2836

Title: **CIRCUIT INTERRUPTER WITH IMPROVED SURGE SUPPRESSION**

Address to:

Commissioner for Patents

The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(d), and on or before payment of the issue fee, and is accompanied by the Statement as specified in 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p).

☐ A check in the amount of _____ is attached.

☒ Charge Deposit Account No. 12-1185

in the amount of \$180.00

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Augusta D. Rogers

Typed or Printed Name of Person Mailing Certificate

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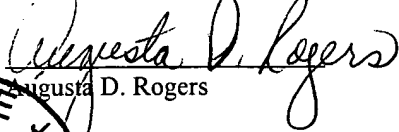
Paul J. Sutton, Esq.
Reg. No. 24,201
Greenberg Traurig, LLP
200 park Avenue
New York, New York 10166

Tel: 212.801.2108

Dated: November 22, 2004

CC:

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Augusta D. Rogers



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: David Y. Yan et al
Serial No.: 09/829,339
Date Filed: April 9, 2001
For: **CIRCUIT INTERRUPTER WITH
IMPROVED SURGE SUPPRESSION**
Group Art Unit: 2836
Examiner: Zeev Kitov

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant's duty of disclosure, the information listed in the attached form PTO/SB/O8A is brought to the attention of the Examiner. Copies of the references are provided.

It is respectfully requested that the information cited in the attached Form PTO-/SB/O8A be considered by the Examiner in connection with the above-identified patent application, and that such art be made of record in said application.

REFERENCES

Applicants would also like to bring the Examiner's attention to the following commonly owned co-pending U.S. Letters Patents and Pending Patent Applications:

Patent No.: 6,437,700	issued : 08/20/2002
Serial No.: 09/812,875	filed : 03/20/2001
Patent No.: 6,771,152	issued : 08/03/2004
Serial No.: 10/909,610	filed : 08/02/2004
Patent No.: 6,671,145	issued : 12/30/2003
Serial No.: 10/747,484	filed : 12/29/2003
Patent No.: 6,693,779	issued : 02/17/2004
Serial No.: 10/779,211	filed : 02/13/2004
Patent No.: 6,288,882	issued : 09/11/2001
Patent No.: 6,717,782	issued : 06/04/2004
Patent No.: 10/818,626	issued : 04/05/2004
Patent No.: 6,282,070	issued : 08/28/2001
Patent No.: 6,646,838	issued : 11/11/2003
Serial No.: 10/702,571	filed : 11/11/2003
Patent No.: 6,381,112	issued : 04/30/2002
Serial No.: 09/812,601	filed : 03/20/2001 (abandoned)
Serial No.: 10/613,667	filed : 07/03/2003
Patent No.: 6,040,967	issued : 03/21/2001
Serial No.: 10/724,973	filed : 12/01/2003

Serial No.: 10/702,571	filed : 11/06/2003
Patent No.: 6,657,834	issued : 12/02/2003
Serial No.: 09/175,228	filed : 10/20/1998 (abandoned)
Patent No.: 6,246,558	issued : 06/12/2001
Patent No.: 6,437,953	issued : 08/20/2002
Serial No.: 10/223,284	filed : 08/19/2002
Serial No.: 10/166,337	filed : 03/21/2001
Serial No.: 09/905,713	filed : 03/19/2001
Serial No.: 10/613,667	filed : 07/03/2003
Serial No.: 09/812,288	filed : 03/20/2001
Serial No.: 09/531,990	filed : 03/20/2000 (abandoned)
Serial No.: 10/166,338	filed : 03/21/2001
Serial No.: PCT/US99/19319	publication date: 03-02-2000
Serial No.: PCT/US00/22955	publication date: 03-01-2001
Serial No.: PCT/US01/32562	publication date: 04-25-2002

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that these items are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search.

The filing of this Information Disclosure Statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). We do not believe that the references cited are material to the subject matter of the present invention. The cited references are being submitted for the sake of completeness.

The Commissioner is hereby authorized to charge the \$180.00 fee for submission of an Information Disclosure Statement required by 37 C.F.R. § 1.17(p) to Deposit Account No. 12-1185 of Leviton Manufacturing Co., Inc. Fee Transmittal (PTO/SB/17) in duplicate is attached.

The Commissioner is also hereby authorized to charge any extra fees which may be required and/or credit any overpayment to Deposit Account No. 12-1185 of Leviton Manufacturing Co., Inc.. A duplicate copy of this sheet is enclosed for that purpose.

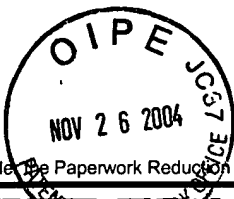
Early and favorable consideration of the case is respectfully requested.

Dated: November 22, 2004

Respectfully submitted,



Paul J. Sutton, Esq.
Registration No. 24,201
Attorney for Applicants
Greenberg Traurig, LLP
200 Park Avenue
New York, New York 10166
Tel. (212) 801-2108



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (10-03)
Approved for use through 07/31/2006. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$180.00

Complete if Known

Application Number	09/829,339
Filing Date	April 9, 2001
First Named Inventor	David Y. Chan
Examiner Name	LiZeev Kitov
Art Unit	2836
Attorney Docket No.	0267-1430

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number

12-1185

Deposit
Account
Name

Leviton Manufacturing Co., Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND

Extra Claims		Fee from below	Fee Paid
Total Claims	-20** =		
Independent Claims	-3** =		
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) \$0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non - English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR § 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Statement	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) \$180.00

SUBMITTED BY

Name (Print/Type) Paul J. Sutton

Registration No.
(Attorney/Agent)

24,201

Complete (if applicable)

Telephone

212.801.2108

Signature

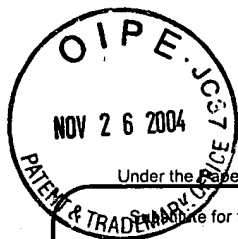
Date

11/22/2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/08A (08-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 5

Complete if Known

Application Number	09/829,339
Filing Date	April 9, 2001
First Named Inventor	David Y. Yan
Art Unit	2836
Examiner Name	Zeev Kitov
Attorney Docket Number	0267-1430

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1	US- 4,034,266	07-1977	Virani et al.	
	2	US- 4,719,437	01-1988	Yun	
	3	US- 4,802,052	01-1989	Brant et al.	
	4	US- 4,851,951	07-1989	Foster, Jr.	
	5	US- 5,223,810	06-1993	Van Haaren	
	6	US- 5,224,006	06-1993	Mackenzie et al.	
	7	US- 5,594,398	01-1994	Marcou et al.	
	8	US- 5,600,524	02-1997	Neiger et al.	
	9	US- 5,805,397	09-1998	Mackenzie	
	10	US- 5,875,087	02-1999	Spencer et al.	
	11	US- 6,040,967	03-2000	DiSalvo	
	12	US- 6,282,070	08-2001	Ziegler et al.	
	13	US- 6,246,558	06-2001	DiSalvo et al.	
	14	US- 6,381,112	04-2002	DiSalvo et al.	
	15	US- 6,437,953	08-2002	DiSalvo et al.	
	16	US- 6,437,700	08-2002	Herzfeld et al.	
	17	US- 6,671,145	12-2003	Germain et al.	
	18	US- 6,288,882	09-2001	DiSalvo et al.	
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	1	PCT/US99/19319	03-2000	Leviton Manufa.		
	2	PCT/US00/22955	03-2001	Leviton Manufa.		
	3	PCT/US01/32562	04-2002	Leviton Manufa.		
	4	WO 96/01484 A	01-1996	Power Breaker P		
	5	EP 0 526 071 A	02-1993	PDL Holdings Lt		
	6	Australian No 759587	07-2003	Leviton Manufa.		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

2

of

5

Complete if Known

Application Number	09/829,339
Filing Date	April 9, 2001
First Named Inventor	David Y. Yan
Art Unit	2836
Examiner Name	Zeev Kitov
Attorney Docket Number	0267-1430

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	19	US- 6,282,070	08-2001	Ziegler et al.	
	20	US- 6,646,838	11-2003	Ziegler et al.	
	21	US- 6,381,112	04-2002	DiSalvo	
	22	US- 6,040,967	03-2000	DiSalvo	
	23	US- 6,657,834	12-2003	DiSalvo	
	24	US- 5,625,285	04-1997	Virgilo et al.	
	25	US- 4,967,308	10-1990	Morse	
	26	US- 5,637,000	06-1997	Osterbrock et al.	
	27	US- 6,309,248	10-2001	King Gerald N.	
	28	US- D462,660	09-2002	Huang et al.	
	29	US- 5,600,524	02-1997	Neiger et al.	
	30	US- 5,694,280	12-1997	Zhou	
	31	US- 5,847,913	12-1998	Turner et al.	
	32	US- 5,933,063	08-1999	Keung et al.	
	33	US- 5,963,408	10-1999	Neiger et al.	
	34	US- 4,002,951	01-1977	Halbeck	
	35	US- 4,521,824	06-1985	Morris et al.	
	36	US- 5,229,730	07-1993	Legatti et al.	
	37	US- 5,477,412	12-1995	Neiger et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	7	UK 830,018	03-1960	Michael Gerrad		
	8	UK 2,207,823	02-1989	Ian Pickering		
	9	GB 2,290,181 A	12-1995	John A. Pollman		

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 3

of 5

Complete if Known

Application Number	09/829,339
Filing Date	April 9, 2001
First Named Inventor	David Y. Yan
Art Unit	2836
Examiner Name	Zeev Kitov
Attorney Docket Number	0267-1430

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	38	US- 5,517,165	05-1996	Cook	
	39	US- 5,661,623	08-1997	McDonald et al.	
	40	US- 5,956,218	09-1999	Berthold	
	41	US- 4,521,824	06-1985	Morris et al.	
	42	US- 5,229,730	07-1993	Legatti et al.	
	43	US- 5,477,412	12-1995	Neiger et al.	
	44	US- 5,956,218	09-1999	McDonald et al.	
	45	US- 5,875,087	02-1999	Spenser et al.	
	46	US- 5,148,344	09-1992	Astley et al.	
	47	US- 3,702,418	11-1972	Robert Obenhaus	
	48	US- 4,574,260	03-1986	Terry E. Franks	
	49	US- 5,805,397	09-1998	Raymond MacKenzie	
	50	US- 3,309,571	03-1967	Clyde Gilker	
	51	US- 3,538,477	11-1970	Walters et al.	
	52	US- 3,872,354	03-1975	Nestor et al.	
	53	US- 3,949,336	04-1976	Robert E Dietz	
	54	US- 4,034,360	07-1977	Ronald G. Munroe	
	55	US- 4,223,365	12-1977	Richard J. Moran	
	56	US- 4,316,230	02-1982	James E. Hansen	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner
SignatureDate
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Substitute for form 1449/PTO <div style="text-align: center; font-weight: bold; font-size: 1.2em;"> INFORMATION DISCLOSURE STATEMENT BY APPLICANT </div> <div style="text-align: center; font-style: italic; font-size: 0.8em;"> (Use as many sheets as necessary) </div>		<div style="text-align: center; font-weight: bold; font-size: 1.1em;"> Complete if Known </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>09/829,339</td> </tr> <tr> <td>Filing Date</td> <td>April 9, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>David Y. Yan</td> </tr> <tr> <td>Art Unit</td> <td>2836</td> </tr> <tr> <td>Examiner Name</td> <td>Zeev Kitov</td> </tr> <tr> <td>Attorney Docket Number</td> <td>0267-1430</td> </tr> </table>		Application Number	09/829,339	Filing Date	April 9, 2001	First Named Inventor	David Y. Yan	Art Unit	2836	Examiner Name	Zeev Kitov	Attorney Docket Number	0267-1430
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U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
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Examiner Signature		Date Considered	
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Complete if Known

Application Number	09/829,339
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